

MIN 15.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

-----X
ZURICH AMERICAN INSURANCE COMPANY,

Plaintiff,

07 Civ. 6514 (DC)

-against-

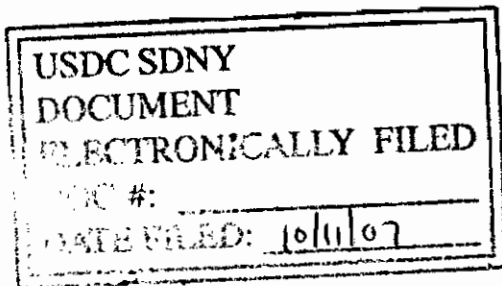
**VOLUNTARY DISMISSAL
AND ORDER**

PIEDMONT EXPRESS, INC.,

Defendant.
-----X

No answer having been filed and the captioned action having been settled, it is hereby discontinued as to all parties pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure with prejudice but without costs as to any party, subject to re-opening by letter application in the event that the settlement is not consummated within thirty (30) days of entry hereof.

Dated: New York, New York
October 9, 2007



McDERMOTT & RADZIK, LLP.
Attorneys for Plaintiff

By:

Handwritten signature of James J. Ruddy in black ink.

James J. Ruddy (JR-6693)
88 Pine Street
New York, New York 10005
212-376-6400
Ref.: 10-06-1986 JJR

SO ORDERED:

Handwritten signature of the U.S. District Judge in black ink.

U.S.D.J.

10/11/07